

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
2013 FEB 20 PM 4:19

Deborah R. Brumback,

Plaintiff,

vs.

Cause No.

Hendricks Regional Health,

Defendant.

1:13-cv-0292 TWP -MJD

EMPLOYMENT DISCRIMINATION COMPLAINT

Plaintiff brings a complaint against defendant Hendricks Regional Health for discrimination as set forth below.

Plaintiff ☒ DOES ☐ DOES NOT (indicate which) demand a jury trial.

I. PARTIES

Plaintiff's Name, Address, and
Phone Number:

Deborah R. Brumback
PO Box 352, 401 N Washington St
Bainbridge, IN 46105
765-522-5622

Defendant's Name and Address:

Hendricks Regional Health
1000 E Main Street
Danville, IN 46122
317 745 4451

II. JURISDICTION

1. This complaint is brought pursuant to:

_____ Title VII of the Civil Rights Act of 1964, as amended, and jurisdiction is based on 42 U.S.C. §2000e-5 and 28 U.S.C. §1331;

_____ The Age Discrimination in Employment Act (29 U.S.C. § 621), and jurisdiction is based on 28 U.S.C. § 1331;

Please serve Hendricks Regional Health

☒ The Americans with Disabilities Act (42 U.S.C. § 12101), and jurisdiction is based on 28 U.S.C. § 1331;

☐ The Rehabilitation Act (29 U.S.C. § 701, *et seq.*), and jurisdiction is based on 28 U.S.C. § 1331;

☐ Equal rights under law (42 U.S.C. § 1981), and jurisdiction is based on 28 U.S.C. § 1331;

☒ Other (list): Retaliation, harassed, bullied, threatened,
a discriminated against based on my disability

2. Plaintiff ☒ DID ☐ DID NOT (indicate which) timely file a charge of discrimination with the Equal Employment Opportunity Commission or the Indiana Civil Rights Commission. [Attach a copy of charge to this complaint].

3. Plaintiff's Right to Sue Notice from the Equal Employment Opportunity Commission or the Indiana Civil Rights Commission was received on or about 11-30-12 (insert date). [Attach a copy of Notice of Right to Sue to this complaint].

III. STATEMENT OF LEGAL CLAIM

Plaintiff is entitled to relief in this action because:

During my employment with Hendricks Regional Health, I was harassed, bullied, threatened
a discriminated against based on my disability. On February 2, 2012, I was terminated for
an infraction that my non-disabled coworkers have committed without discipline
These complaints are against Tonya Prentice and Kandice Berg.

IV. FACTS IN SUPPORT OF COMPLAINT

SEE ATTACHED

V. PRAYER FOR RELIEF


Based on the foregoing, plaintiff seeks the following relief:

SEE ATTACHED

(Use additional sheets if necessary.)

VI. SIGNATURE

Signed this 10 day of February, 2013.


(Signature of Plaintiff)

Facts in Support of my Complaint

1. **TERMINATION:** I began working for Hendricks Regional Health in October of 1995. I have always received excellent reviews until Kandice Berg became my supervisor. On February 2, 2012 I was terminated for an infraction that my non-disabled coworkers committed without discipline.
2. I was retaliated against because I reported my supervisor, Kandice Berg, to my Director, Tonya Prentice, Gary Lenard, Human Resource Director, and Gary Simpson, Director of Finance, who is Tonya Prentice's Director. My emails will show that I approached Tonya many times asking for her help with Kandice Berg. I explained to her that I was having shoulder pain, chest pain, and depression. I pleaded with Tonya Prentice to address the problems that I was having with my supervisor, Kandice Berg, such as harassment, bullying, retaliation, intimidation, discrimination, and my workload. ALL of my complaints were ignored, even though they were valid. Tonya Prentice began harassing, bullying, and retaliated against me also.
3. I was retaliated against for protected activity; in violation of the American with Disabilities Act of 1990, as amended. Tonya and Kandice were well aware of my shoulder disability, but they both chose to ignore my doctor's orders.
4. I was put on limited duty due for my left shoulder work related injury. My supervisor, Kandice Berg and my director, Tonya Prentice ignored my doctor's orders, and instead of putting me on limited duty, I was given added assignments. Tonya went as far as having someone spy on me. I did not have full use of my left shoulder, and I was told not to do repetitive work with my left arm. In order to complete the extra assignments I was given, I would have to do repetitive work which was impossible due to the pain. They were both setting me up to fail.
5. I was terminated for a HIPPA violation, although other coworkers violated this without being disciplined, including my supervisor Kandice Berg. I shared this information with Tonya, but Kandice was allowed to retain her job.


In April of 2012 I sent a text message to Tonya Prentice that was not in any way a threat. I have the text that was sent to her. Tonya shared this text with Kandice Berg and Melanie Bush. My rights were violated when my personal information was given to Michael Larrison. This information went outside the hospital, and directly given to Michael Larrison. He should not have had any knowledge of this text. My daughter, Shawna Larrison, and Michael Larrison were going through a divorce at the time this information was given to him. Michael said he was going to inform the judge of my threat to Tonya Prentice, which was a lie. Michael said he would show that I was not a good grandmother to Addyson Larrison, because of my threat to Tonya. The ONLY way he could have received this information was through Tonya Prentice, Kandice Berg, or Melanie Bush. One of them went to other coworkers and gossiped about this. The only coworker that knows Michael is Dawn Nelson, so she had to have shared this false information with him. I was extremely upset over this,

Prayer for Relief

- Back pay (interest and salary increases not included) from 02/02/2012 – 03/02/2013
56 weeks based on \$14.98 per hour. \$31,458.00
- front pay until I reach the age of 72 (interest and salary increases not included) 936
weeks based on \$14.98 per hour \$525,798.00
- Punitive damages \$150,000.00
the employee must prove that the employer engaged in a discriminatory practice
with "malice or with reckless disregard" for the employee's rights. Intentional
actions by an employer causing the embarrassment, mental distress or humiliation
of a person.
- compensatory Damages: \$300,000.00
- attorney's fees
- court costs
- medical expenses incurred since February 2, 2012

1. I want an apology letter from Tonya Prentice and Kandice Berg for the emotional
pain they have caused me.
2. To choose an Orthopedic Doctor of my choice for my left shoulder. All expenses
are to be paid for by Hendricks Regional Health. This was a workman's compensation
claim.
3. Hendricks to pay for my training/schooling of my choice.
4. Letter of reference, changing my discharge to voluntary resignation, agreement
to not contest unemployment benefits.
5. Continuation of my health, dental, and vision for myself and my son Kenneth W.
Brumback until Kenneth reaches the age of 26, and until I reach the age of 72.
6. Life insurance - The policy I carried while employed by Hendricks Regional Health
paid 70,000 in the event of my death. I want this policy to continue until the time of my
death.

7. Full retirement benefits until I reach the age of 72.
8. Any future Care and Share pay outs until I reach the age of 72.
9. Any future bonuses that are paid to their employee's until I reach the age of 72.

A handwritten signature in black ink, appearing to read "Deborah R. Brumback". The signature is fluid and cursive, with the first name being the most prominent.

Deborah R. Brumback

2.10.13